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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable SAM BROWNBACK, a Senator from the State of Kansas.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Wondrous sovereign God, thank You for the gift of another sunrise. We trust in Your unfailing love and rejoice in Your salvation. Your words are right and true; Your plans stand firm forever. Lord, rule our world by Your wise providence.

As the Members of this Congress investigate and legislate, help them to hate the false and cling to the truth. Give them the wisdom to guard their lips and weigh their words. Guide them with righteousness and integrity. May they leave such a legacy of excellence that generations to come will be inspired by what they do now. Remind them of Your precepts, even through the watches of the night.

You are our help and our shield, and we wait in hope for You. Amen.

PLEDGE OF ALLEGIANCE

The Honorable SAM BROWNBACK led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. STEVENS).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 22, 2005.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable SAM BROWNBACK, a Senator from the State of Kansas, to perform the duties of the Chair.

TED STEVENS,
President pro tempore.

Mr. BROWNBACK thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. FRIST. Mr. President, this morning we will return to the Energy bill with the lineup of amendments that was agreed to last night. Under that order, Senator FEINSTEIN will go first with her amendment relating to LNG. That will be considered under a 60-minute time limitation. Following that debate, Senator BYRD will offer an amendment related to rural gas prices. In addition to those amendments, we have several others who are prepared to offer amendments if time is available this morning. During this morning's debate, we will determine if we will vote after the discussion of each amendment or if we will stack a vote or two together. Senators should expect the first vote to occur prior to noon today.

Also, last night, we reached an agreement to spend 3 hours for debate on the McCain-Lieberman amendment on climate change. We expect to resume that amendment around midday, around noon today.

Finally, I remind everyone that cloture was filed last night on the underlying Energy bill, and thus that cloture vote would occur Thursday morning. We expect that cloture will be invoked, and we will be voting on final passage of the Energy bill before we close for the week. We will follow the Energy

bill with most probably Interior appropriations. We plan on doing two appropriations bills before we leave for the recess.

Also as a reminder to our colleagues, under rule XXII, first-degree amendments must be filed by 1 p.m. today. We will have a busy day today, likely go well into the evening. We will have votes over the course of the day as we bring the bill to a final vote hopefully tomorrow.

ASSISTANT DEMOCRATIC LEADER'S APOLOGY

Mr. FRIST. Last night, we all listened to the statement of the assistant Democratic leader in which he addressed comments made a week ago that had equated our U.S. military actions in Guantanamo to Nazi death camps, Soviet gulags, and Pol Pot's killing fields. My colleagues and I had urged the Senator to issue a formal apology and to strike his remarks from the RECORD. We asked his fellow Democrats to denounce his remarks or at least to distance themselves from those remarks.

Last night, he apologized. We appreciate that and we respect that. It was the right thing to do. It was the right thing to do for this body and I believe for our troops overseas. Why? Because over the course of the day's proceeding of the apology, damage was being done. Intended or not, damage was being done. It was being done by giving voices at Al Jazeera more cause to gleefully repeat those charges around the world. We believe damage was being done to our men and women in uniform, not intended but the damage was being done.

With our troops in harm's way all around the globe and in an era where information flashes literally in seconds from one side of the world to the other, we all must be careful about what we say and how we say it. If what we say is not intended, then we need to correct it early on. It is a lesson we all

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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learn over and over again. I have certainly made my share of verbal mistakes and missteps over the years.

So last night's statement from Senator DURBIN both honored our troops and recognized the sacrifices of those who lived and died under the grim systems of Nazi terror, of Soviet repression, and Cambodian genocide. That is right, fine, and worthy. Senator DURBIN took an honorable step yesterday afternoon. I look forward to working with our colleague from Illinois as we move forward in the days and weeks ahead.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

JOHN BOLTON NOMINATION

Mr. REID. Mr. President, yesterday at the White House it was reported that President Bush told Republican leaders to keep fighting to get Mr. Bolton, the President's nominee to be U.N. ambassador, an up-or-down vote. Keep fighting—that was the message delivered by the President.

I understand the need for an occasional pep rally to bolster discouraged members of his party, but the American people are tired of the fighting and the bickering. They want us to tackle the hard issues confronting this country and deal with the crisis in health care where 45 million people have no health insurance and millions of others are underinsured, to deal with education, the ability of parents to send their children to college and then the deteriorating nature of our public school system, part of which is directly related to the Leave No Child Behind Act. We are approaching 1,800 dead American soldiers in the war in Iraq. We are approaching 20,000 who have been wounded. We do not know the exact number of Iraqis who are dead, but it is well over 100,000.

Of course, we have the President's ongoing direction to privatize Social Security. He has not directed his attention at all, as we should, to retirement security. United Airlines basically defaulted on their pension obligations to their employees. Delta, Northwest, other airlines, and other companies are standing by. Unless they get help from the Congress, they too will default on their obligations to their employees' retirement programs.

They, the White House, want the John Bolton matter resolved. It can be resolved easily and quickly in two ways. First, the President can take the advice of the distinguished Republican, the Senator from Ohio, Mr. VOINOVICH, and offer a new nominee. Over the course of the Foreign Relations Committee hearings, it became quite clear that John Bolton is simply not the right man for this most important job.

John Bolton has attempted to manipulate intelligence, intimidate intelligence analysts, and has shown outright disdain for the international system and the institution for which he was nominated to serve.

The administration would have everyone believe that Mr. Bolton is the only man capable of delivering the reform message to the United Nations. We all agree that the United Nations needs reform, but I would submit that there are dozens, scores of tough reform-minded conservatives who could be confirmed rapidly with broad bipartisan support.

We have quickly approved the White House's two previous selections to this post, Negroponte and Danforth, and we are prepared to do so again.

When Senator Danforth decided to step down as our Representative to the United Nations, the administration had a choice to make: Did it want to pick someone along the lines of its two previous nominees who could have been quickly confirmed and on the job fixing the U.N. or did it want a fight in the Senate? It appears a fight was more in line with what they felt was appropriate.

Unfortunately, the administration, as I have said, knowingly chose a fight. They were told prior to sending his name to the Senate that it was a problem. The White House's choice and subsequent actions demonstrate that reform in Washington is needed as much as it is at the United Nations.

If the administration does not want to withdraw Mr. Bolton's nomination, and that appears to be clear, there is another path. It can take the advice of former majority leader TRENT LOTT, who said yesterday on Fox News that the administration should provide the information that has been requested by the Senate. This is Senator LOTT saying this, not me, even though I have said it also. Speaking to Fox News, the Senator from Mississippi further said:

My colleagues have a right to know that information. . . . I think the [Administration] ought to give the [Senate] the information.

The distinguished Senator from Mississippi, my friend, also went on to say what this fight is really all about:

We are saying to the White House, we're a coequal branch of government here, other Senators have done this in the past, we're seeking this information which we have a right to . . .

That is also a view shared by the Republican Senator from Rhode Island who sits on the committee, LINCOLN CHAFEE, who, when asked whether the White House should turn over the information about Mr. Bolton, said, as he usually does, in very short, concise statements: "I like full disclosure."

Full disclosure is exactly what we need. We should shed light on whether this nominee tried to stretch the truth about Syria's weapons of mass destruction programs, and it should explain why Mr. Bolton needed to see what Americans—perhaps his own superiors

at the State Department—were saying about him in these NSA intercepts.

I have said it before and I will say it again: This fight is not about Mr. Bolton. It is about whether this administration will recognize that the Constitution established that Congress is a coequal branch of Government with certain powers and responsibilities. If the President turns over the information, not part of it or a summary of it but turns over all of the information requested, the White House will get their up-or-down vote on Mr. Bolton.

Unlike the advice offered by the President yesterday, continued fighting will not advance his troubled nominee. Working with the Senate will. By taking the advice of my friends from Ohio, Senator VOINOVICH; Mississippi, TRENT LOTT; and LINCOLN CHAFEE, Rhode Island, all Republicans, the President and the Congress can put this matter behind them and move on to the critical issues facing the Nation and the United Nations.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

ENERGY POLICY ACT OF 2005

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 6, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 6) to ensure jobs for our future with secure, affordable and reliable energy.

Pending:

Wyden/Dorgan amendment No. 792, to provide for the suspension of strategic petroleum reserve acquisitions.

Schumer amendment No. 805, to express the sense of the Senate regarding management of the Strategic Petroleum Reserve to lower the burden of gasoline prices on the economy of the United States and circumvent the efforts of OPEC to reap windfall profits.

McCain/Lieberman amendment No. 826, to provide for a program to accelerate the reduction of greenhouse gas emissions in the United States.

Reid (for Lautenberg) amendment No. 839, to require any Federal agency that publishes a science-based climate change document that was significantly altered at White House request to make an unaltered final draft of the document publicly available for comparison.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from California, Mrs. FEINSTEIN, will be recognized to offer an amendment in relation to LNG.

The Senator from California.

AMENDMENT NO. 841

Mrs. FEINSTEIN. Mr. President, I call up amendment No. 841.

The ACTING PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

The Senator from California [Mrs. FEINSTEIN], for herself and Ms. SNOWE, Mr. REED, Mr. SESSIONS, Mr. KENNEDY, Ms. COLLINS,